



Attorney's Docket No. 42390P9148

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Valery Kuriakin et al.

Serial No.: 09/607,825

Filed: June 30, 2000

For: A METHOD AND APPARATUS FOR IMPROVED  
MEMORY MANAGEMENT OF VIDEO IMAGES

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Examiner: Unknown

Art Unit: Unknown

PETITION UNDER 37 CFR 1.53(e)

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In accordance with 37 C.F.R. 1.53(e), Applicants for the above-identified application respectfully petition the Commissioner to accord Applicants the June 30, 2000 filing date for the application in its entirety for the reasons set forth below.

Applicants filed their non-provisional patent application on June 30, 2000. This application contained 11 sheets of drawings, including 18 figures. A copy of Applicants' postcard for filing this application, date-stamped by the US PTO, is attached as Exhibit A.

On September 29, 2000, the US PTO mailed a "Filing Receipt" for this nonprovisional Patent Application to Applicants. This "Filing Receipt" indicates receipt of 11 drawing sheets with the filing of the nonprovisional Patent Application on June 30, 2000. A copy of the Filing Receipt is attached as Exhibit B.

The nonprovisional Patent Application, as filed on June 30, 2000, contained 11 sheets of drawings, with a total of 18 figures. Each sheet of drawings contained a numbered label on the reverse side of the drawings, in the upper left-hand corner. A two-sided copy of the first sheet of the drawings, as filed (indicated as Sheet 1 of 11), is attached as Exhibit C. This first sheet of drawings clearly indicates two separate figures, with the figure at the top of the page labeled as FIG. 1A, and the figure directly below erroneously labeled as FIG. 1.

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Due to a typographical error, FIG. 1B (the second figure on the Sheet 1 of 11 ) was erroneously labeled as FIG. 1. A two-sided corrected first sheet of drawings (Sheet 1 of 11), with FIG. 1 correctly labeled, in red, as FIG. 1B is attached as Exhibit D.

As such, Applicants respectfully submit that FIG. 1B, referred to as the omitted item in the Notice of Omitted Item(s), was in fact deposited with the US PTO along with the nonprovisional patent application papers. Accordingly, Applicants respectfully petition the Commissioner to substitute the corrected first sheet of drawings, including a top figure as FIG. 1A and the figure directly below as FIG. 1B. Moreover, new subject matter is not introduced in the application by entry of the corrected first sheet of drawings, as FIG. 1B merely is correctly labeled.

Therefore, a complete application was filed with the U.S. Patent and Trademark Office on June 30, 2000 and the application, in its entirety, should be accorded the June 30, 2000 filing date.

The appropriate fee of \$130.00 required by 37 C.F.R. 1.17(i) is enclosed herewith. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2666. A duplicate copy of this sheet is enclosed. Please direct all communications regarding this matter to the undersigned.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: January 9, 2001

  
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Joseph Lutz, Reg. No. 43,765

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**CERTIFICATE OF MAILING:**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Washington, DC 20231 on January 9, 2001.

  
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Marilyn Bass

January 9, 2001